

Message Text

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ACTION AF-18

INFO OCT-01 ISO-00 SCA-01 TRSE-00 CIAE-00 DODE-00 PM-07

H-03 INR-10 L-03 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01

SPC-03 SS-20 USIA-15 PER-05 IO-14 VO-03 OC-06 CCO-00

AID-20 DRC-01 PC-10 OMB-01 CPR-02 JUSE-00 /159 W

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P R 141539Z JAN 74

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC PRIORITY 9166

INFO AMCONSUL CAPE TOWN

LIMITED OFFICIAL USE PRETORIA 0169

CAPE TOWN FOR EMBASSY

FOR AF/S

E.O. 11652: N/A

TAGS: APER, PFOR, SF

SUBJ: RECIPROCITY IN PRIVILEGES AND IMMUNITIES

REF: DOLS-SMITH LETTER, DECEMBER 27, 1973

1. EMBASSY AWARE OF TWO SIGNIFICANT AREAS OF NON-RECIPROCITY
IN PRIVILEGES/IMMUNITIES ACCORDED US DIPLOMATS AND OFFICIAL
REPRESENTATIVES BY SAG, DESCRIBED AS FOLLOWS:

(A) US (AND ALL FOREIGN) DIPLOMATS SUBJECT TO FOLLOWING
RESTRICTIONS ON PERSONAL MOVEMENT WITHIN SA:

(1) PRIOR PERMISSION MUST BE OBTAINED FOR EACH VISIT TO
AFRICAN TOWNSHIP. EXCEPT FOR OCCASIONAL BUREAUCRATIC SNAFU,
PERMISSION GRANTED EXPEDITIOUSLY. HOWEVER, SINCE GOVT. OFFICES
CLOSE FOR WEEKEND ON FRIDAY AFTERNOON, REQUIREMENT PRECLUDES
WEEKEND VISITS NOT PREVIOUSLY ARRANGED. ALSO, GIVEN SA SCENE,
NEED TO GIVE NAME OF PERSON TO BE VISITED CAN IN SOME INSTANCES
INHIBIT FREEDOM WITH WHICH WE CONTACT MEMBERS OF AFRICAN

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COMMUNITY. REQUIREMENT LEVIED ON ALL NON-AFRICANS AND THEORETICAL
JUSTIFICATION "SAFETY". (IN PRACTICE, INDIVIDUAL EMBASSY OFFICERS

IGNORE REQUIREMENT FOR PERSONAL VISITS, THUS FAR WITHOUT INCIDENT. HOWEVER, SAG COULD CLAMP DOWN ON THIS PRACTICE AT ANYTIME. THAT WE HAVE BEEN ABLE OCCASIONALLY TO SKIRT SAG REGULATIONS SHOULD NOT DETRACT FROM FACT THAT THEY EXIST, PLACE RESTRICTIONS ON OUR FREEDOM OF MOVEMENT AND AT TIMES HAMPER EFFECTIVENESS OF OUR OPERATIONS IN SOUTH AFRICA.)

(2) SIMILARLY, PRIOR PERMISSION MUST BE OBTAINED FROM SAG FOR EACH VISIT TO AFRICAN HOMELANDS. RECORD OF SUCH PERMISSION SPOTTIER THAN IN CASE OF VISITS TO TOWNSHIPS. FOR EXAMPLE, EMBASSY POL AND ECON OFFICERS WERE TOLD ON TWO OCCASIONS SINCE EARLY NOVEMBER THAT PROPOSED ORIENTATION VISIT TO VENDA AND LEBOWA HOMELANDS "INCONVENIENT" WITH SUGGESTION THAT REQUEST BE RESUBMITTED IN JANUARY. HOWEVER, OTHER VISITS TO HOMELANDS HAVE BEEN APPROVED WITHOUT DELAY. (AS ABOVE, INDIVIDUAL OFFICERS HAVE IGNORED REQUIREMENT FOR NON-OFFICIAL VISITS.)

(3) PRIOR PERMISSION MUST BE OBTAINED FOR VISITS TO SOUTH WEST AFRICA (NAMIBIA) HOMELANDS, WITH EXCEPTION OF BASTER GEBIET. SAG HAS TAKEN POSITION THAT CHIEFS OF MISSION HAVE STANDING INVITATION (SUBJECT TO PRIOR ARRANGEMENTS) BUT THAT OTHER OFFICERS MAY NOT BE ACCOMMODATED. AS FOR VISITS TO POLICE ZONE (WHITE AREA) OF SWA, IF EMBASSY OFFICER PLANS SEE ANY OFFICIALS, DFA WANTS PRIOR NOTIFICATION AND A HAND IN THE ARRANGEMENTS. IN THE PAST YEAR, HOWEVER, WE HAVE IGNORED THIS STIPULATION AND DEALT DIRECTLY WITH OFFICIALS IN SWA.

(B) SAG PRACTICES VISA DISCRIMINATION AGAINST CERTAIN CATEGORIES US DIPLOMATIC AND OFFICIAL REPRESENTATIVES ACCREDITED OR ASSIGNED TO NEARBY THIRD COUNTRIES:

(1) SAG ISSUES LAISSEZ PASSERS (LP'S) TO MEMBERS US MISSIONS IN BOTSWANA, LESOTHO, SWAZILAND, IN LIEU VISAS. USE OF LP DATES BACK TO ABOUT 1968, APPARENTLY BECAUSE SAG REASONED THAT LP NOT WITHIN PURVIEW US-SA VISA TREATY WHICH REQUIRES VISA TO BE VALID FOR MULTIPLE-ENTRY. AT PRESENT TIME, THIS PRACTICE HAS NO PRACTICAL EFFECT, EXCEPT THAT LP FOR MULTIPLE-ENTRIES FOR DIPLOMATIC OFFICERS AND STAFF ACCREDITED TO THESE COUNTRIES IS ISSUED AS SEPARATE PIECE OF PAPER, AND NOT ENTERED IN PASSPORT.

(2) PERSONNEL OF USAID AND OTHER DEVELOPMENT PROGRAMS INCLUDING UN ARE SUBJECT TO A SIMILAR BUT MORE ONEROUS DISCRIMINATED OFFICIAL USE
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INATION, REGARDLESS OF COUNTRY TO WHICH ACCREDITED. DIPLOMATIC PASSPORT HOLDERS IN THIS CATEGORY ARE ISSUED ONE-YEAR MULTIPLE-ENTRY LP'S, ALTHOUGH THERE HAVE BEEN CASES REQUIRING SPECIAL REPRESENTATION. EXCEPT FOR EIGHT SPECIFIC STAFF PERSONNEL POSITIONS AT BLS POSTS WHICH RECEIVE MULTI-ENTRY LP'S, OFFICIAL PASSPORT HOLDERS ARE RESTRICTED TO SINGLE-ENTRY LP'S VALID FOR VERY LIMITED PERIODS OF TIME. LATTER FORM DISCRIMINATION IS CUMBERSOME AND HANDICAPS CONDUCT USG PROGRAMS IN VARIETY AFRICAN COUNTRIES. FOLLOWING AN ESPECIALLY DIFFICULT PERIOD, REPRESENTATIONS IN LATE 1972 RESULTED IN SOME IMPROVEMENT

IN SAG PROCEDURES AND AGREEMENT TO ADMIT PEACE CORPS VOLUNTEERS
(WHO HAD PREVIOUSLY BEEN EXCLUDED FROM ALL BUT IMMEDIATE
TRANSIT). AT THIS TIME, SAG PROMISED TO CONSIDER IMPROVING
THE POSITION BUT HAS TO DATE TAKEN NO ACTION.

2. EMBASSY UNAWARE ANY SIGNIFICANT AREAS NON-RECIPROCITY WITH
RESPECT CUSTOMS, TAXES, JUDICIAL PROCESS, ETC. DEPARTMENT
HOWEVER MAY WISH COMPARE EXEMPTIONS DETAILED IN PRETORIA OM OF
JULY 27, 1973, TO OFFICE OF CHIEF OF PROTOCOL, ENTITLED
"OGEN: TAX EXEMPTIONS" IN RESPONSE DEPT. A-5620 WITH EXEMPTIONS
ENJOYED BY SA OFFICIALS IN US.
HURD

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